

9th August 1955] [Sri C. Subramaniam]

matter of fact there should have been surrenders also, but we cannot take that into account. Whatever be the amount surrendered even in a particular Department, that cannot be appropriated for any other item. That is why whatever might have been the extra expenditure, we have to come before the Legislature to have it ratified. So, this does not give the true picture of the over-expenditure during that year. That will have to be looked into with reference to the revised estimate and the actual accounts on that date. As already explained during the general discussion of the budget, some of these expenses over and above the sanctioned amount is inevitable. Certainly it should be our endeavour to see that this is reduced as much as possible. But with the best of our efforts we cannot avoid this over-expenditure at least to a certain extent."

MR. CHAIRMAN :—" The question is—

' That the Madras Appropriation (No. 3) Bill, 1955 (L.A. Bill No. 18 of 1955), as passed by the Assembly, be taken into consideration.' "

The motion was carried and the Bill was taken into consideration.

Clause 2 and the Schedule were put and carried.

Clause 1 and the Preamble were put and carried.

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

' That the Madras Appropriation (No. 3) Bill, 1955 (L.A. Bill No. 18 of 1955), as passed by the Assembly, be passed.' "

MR. CHAIRMAN :—" The question is—

' That the Madras Appropriation (No. 3) Bill, 1955 (L.A. Bill No. 18 of 1955), as passed by the Assembly, be passed.' "

The motion was carried and the Bill was passed.

(2) THE MADRAS CITY POLICE AND GAMING (AMENDMENT) BILL,
1955 (L.A. BILL NO. 13 OF 1955).^a

DR. V. K. JOHN :—" Regarding the other two Bills which were passed by the Assembly yesterday, I am told by the Hon. Sri C. Subramaniam that the Madras City Police and Gaming (Amendment) Bill, 1955, is urgent. So, that may be taken up to-day and the other Bill, i.e., the Police (Madras Amendment) Bill, 1955, may be adjourned to the next date."

* THE HON. SRI C. SUBRAMANIAM :—" The third Bill, i.e., the Police (Madras Amendment) Bill, 1955, is a simpler one without any complications. But still as a matter of principle if the hon. Deputy Leader of the Opposition wants at least one Bill to be adjourned, I have no objection.

[Sri C. Subramaniam] [9th August 1955]

“ Mr. Chairman, Sir, I move—

‘ That the Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955) as passed by the Assembly, be taken into consideration. ’

“ Sir, this is a measure to check what is called the betting on New York cotton prices which has become widely prevalent in the City of Madras. I am sure hon. Members would have at least heard about this betting on New York cotton prices. It is an ingenious thing. But that only shows how human gambling instinct exhibits itself in so many ways. Because of the importance of the New York cotton market prices, the New York cotton price is cabled to every part of the world. They cable the opening and the closing prices and they are flashed throughout the world. Every day there is not likely to be great changes in the market price. But still there is always a change in the last digit because it is fluctuating to a certain extent this way and that way. Therefore, this betting is done on the last digit. So, a person who goes and bets says ‘ this will be the last digit of the opening price ’ and if it proves to be correct, he is entitled to get 8 times or 10 times of what he bets.”

SRI MOHAMED RAZA KHAN :—“ Even 64 times.”

* THE HON. SRI C. SUBRAMANIAM :—“ That is what is called a bracketed betting or double betting, i.e., bracketing both the opening price and the closing price. He bets ‘ This will be the last digit of the opening price and this will be the last digit of the closing price ’ and if both happen to be correct, then he is entitled to get 64 times of what he bets or even 100 times. This betting has become widely prevalent and many people are running gaming houses for this purpose and particularly poor people are being exploited. Because if he gets by chance the correct digits in respect of both the closing price and the opening price and for betting one-anna he is able to get Rs. 4 or for betting one rupee he is able to get Rs. 64, everybody tries his chance on this betting. The gambling instinct, particularly in the poor people to make easy money is being exploited by these people and we are told that persons who are responsible for running these betting houses are making huge profits. So much so it has become a net work of an organized gambling going on throughout the State. We have to put it down with a firm hand.

“ Hon. Members are aware that the police have been taking very firm action and they have been raiding even the so-called gosha houses. By gosha houses I mean houses where they pretend that ladies are living, whereas in fact no lady is living there. Those houses have been raided and the police were able to catch a few of the culprits. Hon. Members might have seen how the police adopted the method of disguising themselves as milkmen and as gosha ladies sometimes. They have done a very good piece of work. But still the existing law is not good enough. As a matter

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of fact we have our own doubts whether the provision of law under which we are now taking action is the proper provision of law for tackling this betting. For keeping a gaming house or participating in gaming or betting on New York cotton prices, we are at present taking action under sections 45 and 46 of the City Police Act. This betting is not only being carried on inside houses or inside enclosed buildings, but it is being done in open street also. So much so, it has become a problem. For that we are now utilizing section 72 of the City Police Act. But apart from the applicability of these provisions to tackle this problem, the punishments provided in these cases are also very light. Section 72 provides only for a fine of Rs. 50 or one month's imprisonment. So also the penalty provided under sections 45 and 46 is lenient. It is felt now that it is necessary to give deterrent punishments in these cases. Otherwise, it may not be possible to put down these gambling and betting activities. So we are now amending the City Police Act to include this kind of betting also in section 37 of that Act along with 'betting on horse-race'. Hon. Members are aware that betting on horse-race is prohibited outside the race-courses compound and a specific provision to that effect is there in section 37 of the City Police Act. Now, we are including betting on New York cotton prices along with betting on horse-race. We are also making a provision that persons engaged in such activities in any public street or thoroughfare shall be punishable. We are enhancing the punishment and providing a minimum punishment for these offences. So much so, it will be possible to take effective action against the offenders.

3-30
p.m.

"The Madras City Police Act is applicable to the City of Madras. So far as the mufassal areas are concerned, the betting activities are controlled by what is called the Madras Gaming Act. That Act is also being amended now to include such activities like betting on New York cotton prices.

"Incidentally, it has been brought to our notice that betting is going on not only in respect of New York cotton prices, but also in respect of the registration number of motor vehicles. People bet on how many cars beginning with a particular number, say 4 or 5, pass on a particular road and if they happen to hit the correct number, they get ten times or twelve times the bet money. So anything is taken hold of for betting and gambling activities and if sufficient action is not taken now, this is likely to lead to a situation wherein it will become uncontrollable. That is why we are anxious to have this Bill rushed through, even though the hon. the Deputy Leader of the Opposition may call it as 'rushing through'. Considering the importance of subject, I am sure that the Government are entitled to have this Bill rushed through. That is why I have requested the hon. the Deputy Leader of the Opposition and Sri K. Balasubramanya Ayyar to study the Bill and tell me whether it cannot be taken up even to-day. Fortunately, they have also agreed. I am really grateful to them for having agreed to my proposal. Necessary consequential amendments have to be made

[Sri C. Subramaniam] [9th August 1955]

in the various sections of the Madras City Police Act and the Madras Gaming Act. Though there are a number of clauses and the Bill looks longer, there is nothing complicated in it. I hope that hon. Members would consider this and see that the Bill is passed immediately."

MR. CHAIRMAN :—" Motion moved—

' That the Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955), as passed by the Assembly, be taken into consideration.' "

* SRI K. BALASUBRAMANYA AYYAR :—" Mr. Chairman, Sir, I welcome this measure. The gaming instinct in whatever place or in whatever subject or in whatever sphere of activity it is found must be suppressed. That is the underlying principle. As already pointed out by me when speaking on the Resolution for controlling crossword puzzles, this gaming instinct makes people dissipate their energy and makes them anxious to pile up money without any effort. It has also a deleterious effect on innocent people and poor people. I know cases of officers including Government officers coming and asking for loans of money for the purpose of betting on horse-race. That is my personal experience and I am mentioning it here. Poor people, who cannot afford to go and bet, are ruined. They do not tell about this outside. Of course, when they succeed, they tell about it. They lose for thirty days in a month and may win one day in a year. They induce the other people also to participate in the betting. The gaming instinct must be suppressed, even though my hon. Friend Dr. Sreenivasan would say that all of us are not puritans. But here it is a question of making the people do hard and good work instead of wasting their time in gaming so that they may get a chance of getting more money. (Sri A. M. Allapichai: 'No question of getting, but always losing!')

" So far as betting inside the race-course compound is concerned, it is not included in this Bill. I would like that it should also be put an end to. I am told that an assurance has been given by the Government that they will put an end to it after five years. I know very well that rich people are anxious that it must continue. So far as the rich people are concerned, it does not matter much. But so far as the poor people are concerned, it has got a very deleterious effect on them. Even the ordinary woman in the street goes and bets on horses inside the race-course compound. Therefore I say that this should be prohibited.

" Sir, section 49-A (1) has been omitted. That section says: 'Whoever makes, prints or otherwise produces, publishes, sells, distributes or keeps for sale or distribution, any book, leaflet or other document containing news of acceptances for horse-races or purporting to give tips or any information which is likely to aid or facilitate wagering or betting on horse-races, shall be punishable, etc.' These activities are done on a very large scale here in Madras. These

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booklets are published and broadcast throughout the City and many people are very anxious to look into them and waste their time. They even go and consult the astrologers for that purpose. (Sri V. Chakkarai Chetty: 'Does the hon. Member refer to astronomers?') Astronomers have got better work to do. I know a friend of mine who has left the legal profession and is practising astrology alone entirely. (Sri V. Chakkarai Chetty: 'Judicial astrology?') It may be 'judicial astrology' in the old sense. There is nothing 'judicial' at all. But it is called 'judicial astrology'. This section was held to be *ultra vires* by the High Court. I would like to see whether anything could be done by which this section is held *intra vires*. I have not looked into the judgment of the High Court and have not bestowed my thought on it. I would request the Government to consult their Law officers and see whether there is any way by which it could be held *intra vires*. I am very particular that this should be done.

"There is one other submission which I want to make. People crowd even under the shade of trees and use it for gaming activities. I want to know whether it would come under any of the provisions we are now making. Even compounds of our houses are used for such activities without our being aware of it. Provision must be made to include 'any place whether it is situated in a private house or compound or room or garden used for the purpose of gaming activities without the knowledge of the person or persons occupying it.' But the owner of the place should not be punished. (Laughter.) Those persons who use such places for their gaming activities without the knowledge of the owners should be punished. I greatly welcome this Bill and am very glad that the Government have taken this step in spite of the charge of being Puritanic. Some of these measures are doing good to the public. Not only they reform the public morally but they make the public useful citizens of our State."

3-40
p.m.

SRI MOHAMED RAZA KHAN :—"Sir, I have very great pleasure in supporting the Bill before the House. After passing the resolution for the banning of the crossword puzzles, we are glad to note that the Hon. the Minister for Finance has announced in the other House that the Government of India had agreed to the Madras Government's proposal that the prize limit should be put at Rs. 1,000 per month. This Bill is a very welcome Bill. The Minister for Finance himself has stated to what extent betting has been going on and has even spread to the districts also. I do maintain that not only in Madras City but also in the districts this betting is going on. Betting does not require any capital at all. A net work of people, all bad characters and poor people, have spread this betting to all areas. The poor people are the victims of this betting. Even children under ten or twelve years have got their own ways of betting. They bet on cotton prices, horse-races, etc., if they have a rupee with them. There were many occasions in this House on which this betting by people have been referred to. Therefore the Madras Government have thought it fit to come

[Sri Mohamed Raza Khan] [9th August 1955]

with the necessary amendments. I do not like to go into the legal aspects of this Bill. That may be left to persons with legal knowledge. I am in entire agreement with the Minister when he said that this betting should be put an end to. In recent months, there has been a concerted drive by the City Police. They catch these gamblers as far as possible. I would say that this betting has been completely banned in certain parts. This much I could say, Sir. The area where I am staying was once very much infested with this gambling. The backbone of these bad characters has now been broken completely. A series of arrests have been made. It is not fair to make a charge that the Police have not been effecting the arrest of these men. In the course of the last one or two years, the City Police have been making attempts to arrest all these people, but it is a very difficult affair. There will be one man at the top, and he will have under him 1,000 men. The present Inspector-General of Police has been saying that this betting has spread to all areas. Even when these people are prosecuted, only the men at the bottom are arrested, and the real culprit, who is at the top, is scotfree. A few of the agents only are arrested. People without capital have become millionnaires, and the money they have acquired is all the money of the very poor people. I do not like to say anything more. Dr. Srinivasan took objection to the passing of the resolution for banning the crossword puzzles. We are not the people here to allow the Government to encroach on the rights of the people. When we see that the Government are doing what is good for the people, we should ask them to do it.

“A puzzle which offers a prize of Rs. 2 lakhs is able to collect Rs. 10 lakhs by way of entrance fee. The persons who conduct the prize spend only Rs. 2 lakhs to distribute the prizes, but they are able to get Rs. 12 lakhs. This method of collecting such huge sums should be prevented by the Government. I hope with this amendment of the Act, the authorities will take all necessary steps to see that these people are weaned away from the evil. They should see that this vice is eradicated completely. I do not know how far it is within the competency of the Government to issue instructions to their magistrates. The persons convicted of the betting offence, I am told, are left off with fines. But I should say that they should be awarded deterrent sentences. This would surely go a long way to eradicate this evil. Persons running this cotton betting and taking bets on horse-races are parasites on society. On mere suspicion, some people are detained under the Public Safety Act. I really want to know whether these people who conduct stealthily this betting cannot be detained indefinitely under the provisions of the Public Safety Act. I would suggest this course if only the law would allow it. I wholeheartedly welcome this Bill and support it.”

SRI V. GURUNANDAN ROW :—“Sir, I rise to support this motion. This legislation has been long overdue. But I would like to make one or two suggestions. The suggestions are based upon

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what I had understood to be the devious means by which the money of the poor is being taken away. This goes on in the form of a regular racket whereby the stupidity of the poor people is exploited and their money is taken away. I do not know whether it will not be desirable to make the issue of any betting slips an offence. Because, from what I understand, the people, who run the racket, have a number of agents who go round getting the betting slips and hand them over to the persons who are prepared to bet. These slips along with the money are then handed over to the person or persons who run the racket. On the production of these slips only payment will be made, if the people win. If they lose they do not get anything. Whether this present Bill will meet that situation is what I am doubtful about. That is the first point I would like to make. The second point is that there should be a distinction between the persons who are sinned against and people who are really sinners. There should really be a deterrent sentence to the persons who make money out of this racket and not to the persons whose stupidity is exploited and who go and bet. The latter class of people should not be treated in the same manner as the persons who are making lot of money. In fact I find there is no discrimination made between people who are actually making money out of this racket and those who are present at the time when such betting takes place. I would even suggest that to put an end to this racket, it is desirable to give immunity to people who are exploited and make them come forward to say that such and such a person should be punished. These two suggestions I make. Otherwise I support this Bill."

* SRI A. M. ALLAPICHAI :—" Sir, this is one of the best Bills which the Finance Minister has brought forward, which is really going to do much good to our people. I wish to be a bit frank here."

DR. V. K. JOHN :—" On a point of order, Sir. Does the Deputy Chairman mean that others are not frank when he says that he wants to be frank."

* SRI A. M. ALLAPICHAI :—" It does not follow. Sir, I know this betting very well, because the whole of my time I have been connected with criminal cases in criminal courts. I have had a lot of occasion to know about the working of this cotton betting, etc."

DR. V. K. JOHN :—" May I enquire if the hon. Member has been a victim of this at any time? (Laughter.)

* SRI A. M. ALLAPICHAI :—" Certainly not. I have never been a victim. I know how this betting has done lot of harm to our people. This cotton betting and horse-race betting, and Prohibition offences are existing in a way. These offences are there due to the neglect of the officers concerned.

[Sri A. M. Allapichai] [9th August 1955]

3-50 P.m. "That is why, I say, I want to speak in a frank way. In this particular case, some two years ago the President of the District Congress Committee, Mr. D. K. Kannapar and some of his friends saw the Commissioner of Police and brought to his notice the existence of this evil. He was very kind and at once issued necessary instructions to his subordinates. He also pointed out that he could not arrest offenders as the law was defective. Then it was suggested to him that he might bring this fact to the notice of the Government. Most probably he did it. Secondly, my friend, Mr. Raza Khan, also has brought it to the notice of the Government. Now it is a very good thing that the Government have brought in this Bill. The whole business is under the control of about half a dozen big fellows, very big organizers, whose daily income is not just one or two thousands of rupees. I am not exaggerating when I say that the income of one of these persons is Rs. 50,000 daily."

THE HON. SRI C. SUBRAMANIAM :—"Why not you give the name of the person if you know him?"

DR. V. K. JOHN :—"Give the name to the Government and the money to me."

* SRI A. M. ALLAPICHAI :—"Of this 50,000 rupees, they just put half or one-third into their own pockets and the rest is divided in many ways, so that even the most honest Police officer in spite of his best efforts is not able to do much to put down this evil. Now it is all credit to the Commissioner of Police that he has done so much. Some of the very big fellows have been caught. Some of them happen to be very notorious fellows in other fields. What happens is exactly this. Suppose I organize this. I get a large number of persons to work for me as my agents. They collect money at the rate of two annas or so from the people and bring each some ten rupees or so to me. I give them each a commission of two or three rupees out of this ten rupees. In this way I collect a lot of money and I keep a share for doing so many other things. If there is one honest Police officer in a hundred, then this will not flourish. The present Commissioner of Police said: 'I shall put it down' and now it is cracking. No doubt, even the Police did not know anything about this first. We brought it to their notice. The Inspector-General of Police must be firm; the Commissioner of Police must be firm; the Inspectors and Sub-Inspectors of Police must be firm. If all of them are firm, I can positively say that this 'cotton betting' will not take place any longer. Even with regard to the question of prevention of immoral traffic, we did so many things. But still, I am ashamed to say, it goes on in some shape or form. If our officers are really interested in putting down these evils, they can do it in no minute. I cannot say now that the entire thing is gone so far as betting on cotton prices is concerned. Half or a third of the evil has been put down. But the Press must co-operate. The *Hindu*, the *Mail* and the *Indian Express* sometimes come out with bold and significant announcements about the cotton opening and closing prices."

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People purchase these papers in large numbers. They also help the newspapers to make large sums of money by buying the papers in large numbers only to see the prices. These papers must do their bit of service to the country besides making money. They should not give bold headlines to these figures. I know some of the newspaper agencies get information much in advance about these prices and pass it on to the concerned parties. Unless all these people co-operate we cannot put down this evil. If the papers do not co-operate of their own free will we must examine whether it is not possible in the interest of the nation to tell the newspapers 'you shall not publish all these'. If there is any legal difficulty it should be thrashed out. I am glad that the Hon. Minister Mr. C. Subramaniam has done a really great service to the people. In his life, I can say, he has rendered the best service to the State."

* SRIMATHI MARY C. CLUBWALLA JADHAV :—" Mr. Chairman, I rise to support this Bill and I am particularly glad that it also covers youth and children. In the juvenile courts I have seen in the last one year a number of cases of betting of cotton prices involving children. It is deplorable that young, intelligent children should be encouraged out of school hours by elders to practise this evil. I can quote two instances in which children were encouraged to gamble and robbed their own mothers and fathers of money and these children ultimately committed suicide. I am glad therefore that this measure has been introduced and support this Bill. I congratulate the Government and hope that some more steps will be taken to prevent this cotton betting amongst the innocents, that is taking place in large numbers now."

4
p.m.

* SRI T. M. DAIVASIKHAMANI ACHARIAR :—" Mr. Chairman, Sir, I believe that this is a very desirable Bill though long over-due. Gambling or anything connected with gambling must be put an end to with an iron hand by Government. Gambling does not stop with the New York Cotton price alone but it extends to other fields also. The Hon. Minister was good enough to mention about motor car numbers. I will go a step further and say that this betting extends to the gate-shutting in the railway crossings also. Again in the bullion market, this betting is going on even today, every evening. Apart from this New York Cotton, betting on horse racing is still worse. So many families are being ruined by this horse racing. Lives are being lost by this horse racing. There have been too many heart failures and suicides of late. Horse racing is far more injurious than betting on cotton. We should not hesitate to put down an evil, if it is spoiling the lives of many persons and families. Horse racing is the crowning evil. It should be prevented at once, more than putting an end to betting in New York cotton which is comparatively harmless. All that savours of gambling should be put an end to with an iron gauntlet by Government. The newspapers are greatly responsible for giving too much propaganda about horse racing not only here but horse racing in Ootacamund and Bangalore. They give wide daily-publicity for New York cotton price also. I admit that horse

[Sri T. M. Daiwasikhamani Achariar] [9th August 1955]

racine is a pastime of the rich. My contention is that it should not harm poor-folk. (Dr. A. Sreenivasan: 'How is horse racing relevant to the Bill on hand?' The Hon. Sri C. Subramaniam: 'It is at the bottom of evil') I on one day caught my servant red-handed when I found in his hand a paper wherein there was the price of New York cotton. He was indulging, it appears, in betting on American cotton. This is how poor people have fallen a prey to this evil. I am glad that Government have brought this legislation putting an end to this evil of betting on New York cotton to begin with. They should not stop with this. Horse racing also should be put an end to eventually. Therefore, Sir, requesting the press not to give too much publicity to horse racing and these cotton prices or other gambling, I support the present Bill with all the emphasis at my command. Government should see to it that this Act is regressively enforced and the poor-folk be saved from the evil of betting on the cotton prices, not merely by prosecution but by police prevention also."

SRI A. GAJAPATHY NAYAGAR :—" I welcome this measure and I congratulate the Hon. Minister for having brought forward it. I request one clarification. Under clause 3 (d) it is said that :

'Whoever advances or furnishes money for the purpose of gaming on any of the objects aforesaid with persons frequenting any such house, room, tent, enclosure, vehicle, vessel or place shall be punishable with imprisonment which may extend to one year or with fine which may extend to one thousand rupees, or with both.'

I want to know the meaning of the word 'with' in line 2 of this clause. What is meant by advancing and furnishing? What is the difference between the two? How can the Government find out whether one has advanced or furnished money? Mr. Balasubramanya Iyer said that he might have given inadvertently some money to another man. But if that other man had indulged in betting with this money, the first person, who had given the money inadvertently, should not be punished, for the mischief of the latter. I want to know how such an innocent person as Mr. Balasubramanya Iyer would lend money for betting. Again it has not been made clear as to *where* the advancing of money would be punishable. Is advancing money in the house, room, tent, enclosure punishable? Or can money be advanced in the anterior to that house, room, tent or enclosure wherein betting takes place? The clause as at present worded is not clear. I want that the Government may add another clause to this or make the meaning of the same quite clear. Government have enforced prohibition throughout the State and they have prohibited all articles and anything else relating to drinking. I suggest that similar measures may be taken to ban the publication of news relating to cotton prices and other information relating to betting on cotton prices. The Act is a good measure. But the success of the Act depends wholly upon the integrity of the Police in enforcing this measure and also upon the co-operation that persons like Mr. Allapichai may extend to this measure."

24th August 1955]

SRI V. CHAKKARAI CHETTY :—“ Mr. Chairman, Sir, I heartily support this measure. My hon. Friend Sri Balasubramanya Ayyar was speaking just now with regard to the legal provisions. I am in the hands of the great legal luminaries who adorn this Council with regard to the legal aspect of the matter. My hon. Friends Dr. John and Sri Balasubramanya Ayyar will take care of our legal conscience. We can entrust our legal conscience to lawyers, but not our moral conscience. If there is anything in the proposed Bill which is not quite sound from the point of view of law, they will take care of it.

4-10
P.M.

“ There is one thing I have noticed. My hon. Friend Sri Balasubramanya Ayyar said that he was speaking as a puritan. It reminds me of a celebrated passage in the history of England. The Puritans stated ‘ we are fighting not because it gave pain to the poor but because it gave pleasure to dictators’. In the same way I think the Government are trying to penalise gambling not because it involves great loss of moral standard, but because it gives pleasure and profit to those who indulge in betting. Now, that should not be the real point of view, Sir. People make money in ever so many ways. We cannot penalise people for making money. That is an instinct in all of us. If the Government think that they ought to penalise people who are making money, well, there are ever so many ways in which people are making money which could be brought under the purview of law and punished. But that is not the point. What we are really anxious is to put an end to these gambling propensities among the people and to poor people being victimized. Therefore, I would like to emphasize this point that those who are in high position who are encouraging this betting should be brought soon under the provision of this law and punished summarily.

“ My hon. Friends have been talking about newspaper advertisements in this regard. I do not know whether the Government of Madras are legally empowered to ban advertisements in newspapers. But that is a question which lawyers may argue. Sir, it seems to me that people in high places are being let off, but those who are occupying the lower rungs of the ladder making little money are sought to be penalised. Poor people certainly get into the clutches of the rich people to make money. Therefore, I would like the Government to take stern and severe measures of dealing with people who are conducting big organized gambling. My hon. friend Sri Allapichai said that there are big organized gangs indulging in betting. I have no personal knowledge about it. But those who are in the know of things should certainly furnish the information to the Government so that they can take immediate and drastic action against people in high position who are encouraging this betting and thereby victimising the poor classes.

[Sri V. Chakkarai Chetty] [9th August 1955]

"With these words, Sir, I heartily support this measure and I hope that the Government will enforce it without fearing for the cry of the people who may be affected thereby and whose income may be in some way or other jeopardized."

DR. V. K. JOHN :—"Mr. Chairman, Sir, I lend my support to this Bill in the belief that this Bill when passed into law will prevent exploitation of public and demoralization of freedom. But, Sir, I feel I must say that we should be very slow in interfering by legislation with the freedom of the individual and also in introducing virtue by legislation. We must draw a line. Sir, gambling is prevalent all over the world. I have myself seen in American dailies that such gambling is going on to the tune of \$ 20,000. Betting is going on everywhere, but there is one difference we have to note. There is an element of recreation and pleasure in gambling or gaming or betting. In the Clubs there is a game of cards over which some people bet. But I do not think it is a bad thing, because it is a recreation and the amount involved is not much. Such things ought to be allowed. Probably the betting inside the race course, and not outside, could be characterized in that manner and it may not be an offence. Of course, yet puritans like the Deputy Chairman of the Council might stop all kinds of gaming and betting. I do not think we should do that because after all in many kinds of recreation there is an element of gaming and gambling. A line must be drawn, in my opinion, where such gambling exploits the poor people. Betting on cotton prices is a gambling which exploits poor public. It is not conducted for some recreation or some pleasure. But it is a gambling pure and simple and that should be prevented.

"Sir, I must also give another warning. This will give very wide opportunities for the Police who are not very straight to harass the people and I am quite sure that this Government who want to see that the police standard is kept very high will take severe action against any policeman who unnecessarily harasses people and also tries to take a share in the gambling. When this Bill is passed into law, strict instructions must be given to the Inspectors of Police and their subordinates to see that people are not harassed. Sir, I do not think that in passing this Bill into law we are offending the fundamental principles that the freedom of the individual should not be interfered with except for the security of the State or the public and we should not introduce legislation to create virtue. This gambling is pure and simple and has not got an element of recreation or pleasure. It is the duty of the State to prevent such gambling which exploits the poor public. I have the assurance of the Hon. Minister who moved this Bill that this kind of gambling has now gone to the extent that there is an urgent need for the State to bring in such a Bill. With these words, I wholeheartedly support this Bill."

SRI T. PURUSHOTHAM :—"Mr. Chairman, I am glad that this Bill has received support from all sections of the House

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including Dr. Srinivāsan as is evidenced from his studied silence. I congratulate the Government on bringing forward a Bill of this kind. It has not come a day too early and I am glad that this measure has been received so well by all sections of the House. The hon. Member Sri Balasubramanya Ayyar has referred to betting inside the race course. There is already a legislation about it and I pleaded during the debate on the Governor's address and I plead now also that effect should be given to that Act as early as possible. I believe that measure has been put off for some reason or other and that steps will be taken to enforce that measure soon.

"With regard to banning of publication of all news relating to cotton prices, I think it will be a difficult matter. I was just now discussing with the hon. Member next to me and all these news about cotton prices are being published not for the sake of gambling but for merchants and commercial interest. So, we cannot certainly ban the publication of such news which is being published for commercial interest and not for the sake of gamblers. So, whatever action we may take, we cannot shut out publication of such news in the commercial interests. With these words, Sir, I join with the hon. Members who have heaped congratulations on the Hon. the Finance Minister for having brought forward this Bill."

4-20
p.m.

* THE HON. SRI C. SUBRAMANIAM :—"Mr. Chairman, Sir, I am grateful to the hon. Members of this House for having given unanimous support to this measure and I am particularly happy that this support was further strengthened by the fair sex. There is nothing surprising in this because this measure has been brought in because of the persistent demand from Members of the Assembly and the Council. I am not saying this now for the first time. As a matter of fact, when this proposal came up for consideration before me sometime back, this is what I minuted. 'May be quickly done. There has been persistent demand on the floor of the Council and the Assembly to put down this evil with a strong hand'.

"With regard to the various provisions contained in the Bill, the hon. Member Sri V. Gurunandan Row wanted to make a distinction between those who were running this gaming and who were participating in it and who were, as a matter of fact, victims of this evil. We have made a distinction. If only the hon. Member goes through the provisions of the Bill, he would find that as far as persons who are running this business, we have provided for a punishment of imprisonment which may extend to one year or with fine which may extend to one thousand rupees or with both and also for a minimum punishment, provided that in the absence of special reasons to be recorded in writing, the punishment to be imposed on an offender on conviction for an offence under this sub-section shall be imprisonment for not less than one

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month or fine of not less than five hundred rupees or both. Therefore, we have provided a minimum punishment for those who are responsible for the running of these betting activities. For others who participate in it, we have provided for a lighter punishment and as a matter of fact we have made a distinction between the two classes of persons. Participating in betting activities is as much an offence as the running of a betting house, but the other thing is more serious because there the person exploits the gambling instinct of the people and that is why we have provided for a heavier punishment and we have also provided for a minimum punishment.

“Reference was made by hon. Members that the police should take strong action in these matters. I do agree that not only in respect of this law, but in respect of every law we pass for the purpose of regulating the conduct of the public, it is necessary that the police should take an impartial attitude in the matter and should be strict in enforcing the laws. Otherwise, all this will become ‘an instrument of oppression’. It can easily become an instrument of oppression. But we are happy that our Police officers are after all our own brethren and they are bound to react to what we are saying here and to what is happening outside in the society also. I have no doubt that they would enforce this legislation to the best advantage of the society. But if there is any misuse of this law or any other law for their own personal gains, certainly it should be the duty of everybody, not only the legislators but every member of the public, to bring it to the notice of the Government and I assure this House that if any malpractice or corrupt practice is brought to the notice of the Government in respect of Police officials, we shall take very strict action.

“Reference was also made to the publications in the Press. I do not know how we can control them. They are a privileged class. Any reference to restriction on the publication of news would be regarded as Government trying to curtail the freedom of the Press. Such being the case, it will be very difficult and very hazardous for anybody to suggest that we should control the Press in any way whatsoever. We have to give them absolute freedom according to them and nobody can control them. We cannot go to the extent of making any suggestion even. They would come down upon us. Not only one Press, but there are Unions and there are societies of newspapers and they will come down upon us and ask ‘How can you curtail the freedom of the Press?’. They would say ‘Here is an undemocratic Government functioning in such a way’. I would advise hon. Members, if they want to be on the right side of the Press, not to make any reference to the Press, however bad the influence in respect of certain news published by them may be. That would be my advice to them.”

SRI A. M. ALLAPICHAJ :—“Sir, does the Hon. Minister think that they are the last people?”

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* THE HON. SRI C. SUBRAMANIAM :—“ I will deal with that in my own way. If the advice is good enough, I would request the Deputy Chairman to be cautious in making remarks about the Press. Apart from that, I do not think I have much to say. I am really happy that there has been unanimous support and let us hope that with the passing of this Bill, it will be possible to put down this evil with a strong and firm hand. Let us also hope that when we discuss the next Budget or soon after that we will be able to say that this evil has been put down, even though it may not be possible to completely eradicate any evil. I once again thank the hon. Members for having given their unanimous support.”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955), as passed by the Assembly, be taken into consideration.’ ”

The motion was carried and the Bill was taken into consideration.

Clauses 2, 3, 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I beg to move—

‘ That the Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955), as passed by the Assembly, be passed.’ ”

MR. CHAIRMAN :—“ The question is—

‘ That the Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955), as passed by the Assembly, be passed.’ ”

The motion was carried and the Bill was passed.

MR. CHAIRMAN :—“ The House will now adjourn and meet again at 3 p.m. on Monday, the 22nd August 1955.”

The House then adjourned.

VI.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 1. Bills passed by the Assembly and received therefrom in the Council—

(i) The Madras City Police and Gaming (Amendment) Bill, 1955 (L.A. Bill No. 13 of 1955).

(ii) The Police (Madras Amendment) Bill, 1955 (L.A. Bill No. 14 of 1955).

† 2. Notification issued with G.O. No. 1404, Home, dated 20th May 1955, regarding amendments to the Madras Motor Vehicles Rules, 1940.

* Subject to the Bill being passed by the Assembly on 9th August 1955.

† Laid on the table of the House on 8th August 1955.